

FOX THEATRE

'Phantom' can stay in theater home

Ex-staffer, current tenant threatened with eviction after more than 30 years.

By **Alexis Stevens**
astevens@ajc.com

The "Phantom of the Fox" will get to stay in his longtime home after all, the historic theater said Tuesday.

Joe Patten, 84, filed a lawsuit in the fall against Atlanta Landmarks, which runs the Fox Theatre, after he received a letter from the group, suggesting he find an assisted living residence. The letter was sent by Woody White, the president of Atlanta Landmarks,

In 1979, Patten signed a lease allowing him to live in renovated office space in the Midtown theater rent-free for the rest of his life. But in August, the Fox's board of trustees voted to change that lease, saying Patten could live there "as long as he is able."

Patten has had medical issues, but has contended he is still able to live alone in the space he's called home for more than 30 years. In October, Patten learned he could remain in the apartment until the le-

Lawsuit settlement reached

gal issues were resolved, which happened this week.

Patten's lawsuit has been dismissed according to a statement released by theater spokeswoman Kristen Delaney.

"Joe Patten, Atlanta Landmarks and Woody White are pleased to announce that they have resolved all of the claims and issues associated with Mr. Patten's lawsuit and that the lawsuit will be dismissed," the statement said. "Under the



Joe Patten, 84, has lived in an apartment above the Fox Theatre for more than 30 years. He will get to stay there after a lawsuit was settled.

terms of the settlement agreement, which are confidential, Mr. Patten will continue to live in the apartment and Atlanta Landmarks will continue to have the right to manage the theatre property."

Patten, once the theater's technical director, reconditioned the old pipe organ in the 1960s. He later helped form Atlanta Landmarks in 1974 to prevent the ornate 1920s movie palace's demolition and was credited with saving the Fox again after a fire broke out in 1996, when he led firefighters to the flames.